

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)
)
 v.)
)
 MATTHEW JOHN McCORMACK,)
 Defendant.)

CASE No. 1:19-MJ-481

AFFIDAVIT IN SUPPORT OF A SUMMONS

I. INTRODUCTION

I, Special Agent Milton Barnes, of the Pentagon Force Protection Agency (PFPA), Threat Management Unit (TMU), at the Pentagon in Arlington, Virginia, having been duly sworn, state the following:

1. I am a Special Agent with the PFPA TMU. I have been a Special Agent at PFPA TMU since April, 2018. My duties include conducting criminal investigations, threat analysis, and performing law enforcement and security related functions for property occupied by, and under the jurisdiction, custody, and control of the Department of Defense that is located in the National Capital Region. Before becoming a Special Agent, I was a Pentagon Police Officer for approximately twenty-eight (28) months and prior to that, I was a Correctional Officer with the Bureau of Prisons for approximately eleven (11) months.

2. This affidavit is submitted in support of a summons to compel the appearance of MATTHEW JOHN McCORMACK, to answer to the charges that on or about October 15, 2019, at the Pentagon, in the Eastern District of Virginia, he did knowingly, intentionally and unlawfully steal and convert to his use and gain, property of the United States Department of

Defense, to wit: the defendant stole a Government owned iPhone from on top of a set of electronic device storage lockers located outside Pentagon Suite 3B710, in violation of Title 18, United States Code, Section 641, and, that at that same time, at the Pentagon, within the Special Maritime and Territorial Jurisdiction of the United States, in the Eastern District of Virginia, he did knowingly, intentionally and unlawfully take and carry away, the personal property of another, to wit: the defendant stole a personally owned iPhone from on top of a set of electronic device storage lockers located outside Pentagon Suite 3B710, in violation of Title 18, United States Code, Section 661.

3. I personally investigated the violations described below. I learned the facts set forth below from my own investigation and interviews, and from other law enforcement personnel and witnesses cited herein. This affidavit includes only the information necessary to support probable cause for a summons to be issued in this case. It does not include each and every fact known to me or the government.

II. THE NATURE OF THE OFFENSE

4. On October 15, 2019, the Pentagon Operations Center received a complaint concerning an alleged theft of two cell phones in the hallway outside Pentagon Suite 3B710. The victim, Matthew Thrasher, stated that when he arrived for work at approximately 7:30 am that morning, he placed his Government owned iPhone and his personally owned iPhone on top of a set of lockers in the hallway outside Pentagon Suite 3B710 and entered the suite. Approximately an hour later, when he exited Pentagon Suite 3B710, both iPhones were gone.

5. Law enforcement officers quickly reviewed video footage from a surveillance camera located in the hallway outside Pentagon Suite 3B710 and observed a white male wearing a white shirt, dark-colored pants, and a dark-colored tie carrying a shoulder strap briefcase, walk up to the

lockers outside Pentagon Suite 3B710 at approximately 8:30 am and place two cell phones inside a lock box underneath the location where Thrasher had placed his iPhones. Once the subject secured his phones inside the lock box, he then reached up on top of the lockers, picked up two iPhones that were stored there and placed them in his shoulder strap briefcase before turning to enter Pentagon Suite 3B710.

6. At that moment, while the subject was still placing the iPhones in his briefcase, the victim, Thrasher, exited Suite 3B710, approached the lockers and discovered that his iPhones were missing. The victim, Thrasher, and the subject engage in a brief conversation that resulted in the subject reopening his lock box and then securing it again.

7. Thereafter, the victim, Thrasher, and the subject entered Pentagon Suite 3B710, together.

8. Pentagon Police Officer William Baynard acquired a "screenshot" of the subject from the surveillance video at the Pentagon Operations Center and went to Pentagon Suite 3B710 to try to identify him. Officer Baynard showed the "screenshot" of the subject to various employees in Suite 3B710 who quickly identified the subject as the defendant, MATTHEW JOHN McCORMACK.

9. Officer Baynard positively identified the defendant, MATTHEW JOHN McCORMACK in his office inside Pentagon Suite 3B710 and inquired about the two iPhones that had been taken from on top of the lockers outside. At first, the defendant MATTHEW JOHN McCORMACK denied taking the iPhones but later he admitted he may have taken them by mistake. The defendant then opened his brown shoulder strap briefcase and produced the two iPhones. He handed them to Officer Baynard and stated that it must have been an accident. Officer Baynard then showed the two iPhones to the victim, Thrasher, who confirmed they were his missing iPhones.

10. Special Agent Terrell Gairy and I conducted a voluntary noncustodial interview with the defendant, MATTHEW JOHN McCORMACK during which he stated he did not recall taking the cell phones from the top of the lockers nor did he recall putting them in his bag.

III. CONCLUSION

11. Based on the foregoing, I believe there is sufficient evidence to support issuance of a summons to compel the appearance of MATTHEW JOHN McCORMACK to answer to the charges that on or about October 15, 2019, at the Pentagon, in the Eastern District of Virginia, he did knowingly, intentionally and unlawfully steal and convert to his use and gain, property of the United States Department of Defense with a value of less than \$1,000.00, to wit: the defendant stole a Government owned iPhone from on top of a set of electronic device storage lockers located outside Pentagon Suite 3B710, in violation of Title 18, United States Code, Section 641, and, that at that same time and location, at the Pentagon, within the Special Maritime and Territorial Jurisdiction of the United States, in the Eastern District of Virginia, he did knowingly, intentionally and unlawfully take and carry away, with intent to steal and purloin, the personal property of another with a value of less than \$1,000.00, to wit: the defendant stole a personally owned iPhone from on top of a set of electronic device storage lockers located outside Pentagon Suite 3B710, in violation of Title 18, United States Code, Section 661.



Milton Barnes, Special Agent
Threat Management Unit
Pentagon Force Protection Agency

SUBSCRIBED AND SWORN
BEFORE ME ON THIS 12
DAY OF NOVEMBER, 2019.

